

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

COMMISSIONERS OF PUBLIC WORKS OF) Civil Action No. 2:21-cv-00042-RMG
THE CITY OF CHARLESTON (d.b.a.)
Charleston Water System), Individually and on) CLASS ACTION
Behalf of All Others Similarly Situated,)
Plaintiff,) PLAINTIFF'S MOTION FOR
vs.) PRELIMINARY APPROVAL OF CLASS
COSTCO WHOLESALE CORPORATION,) ACTION SETTLEMENT
CVS HEALTH CORPORATION,)
KIMBERLY-CLARK CORPORATION, THE)
PROCTER & GAMBLE COMPANY,)
TARGET CORPORATION, WALGREENS)
BOOTS ALLIANCE, INC. and WAL-MART,)
INC.,)
Defendants.)

)

Representative Plaintiff, the Commissioners of Public Works of the City of Charleston (d.b.a. “Charleston Water System”) (“Plaintiff”), respectfully files this motion for an Order granting preliminary approval of the class action settlement with defendant Kimberly-Clark Corporation (“Kimberly-Clark” or “Defendant”) that resolves all of Plaintiff’s Released Claims against Kimberly-Clark during the Settlement Class Period.¹ For the reasons set forth in the accompanying Memorandum, Plaintiff respectfully moves the Court for an Order:

1. Granting preliminary approval of the Settlement;
2. Certifying a Rule 23(b)(2) class for settlement purposes;
3. Appointing Plaintiff as Class Representative;
4. Appointing Robbins Geller Rudman & Dowd LLP and AquaLaw PLC as Class Counsel;
5. Approving the Settling Parties’ proposed form and method of providing notice of the pendency of the Settlement to the Settlement Class under Rule 23(e)(2); and
6. Scheduling a Settlement hearing for final approval of (a) the Settlement set forth in the Stipulation of Settlement, and (b) Class Counsel’s application for an award of attorneys’ fees and expenses incurred in representing the Settlement Class.

In support of this Motion, Plaintiff incorporates by reference its Memorandum in Support and the Stipulation of Settlement and supporting Exhibits, which are filed simultaneously herewith.

DATED: April 26, 2021

AQUALAW PLC
F. PAUL CALAMITA (ID #12740)

/s/ F. Paul Calamita

F. PAUL CALAMITA

¹ Capitalized terms not defined herein are defined in the Stipulation of Settlement, dated April 21, 2021.

6 South Fifth Street
Richmond, VA 23219
Telephone: 804/716-9021
804/716-9022 (fax)
paul@aqualaw.com

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
VINCENT M. SERRA
SARAH E. DELANEY
58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)
srudman@rgrdlaw.com
vserra@rgrdlaw.com
sdelaney@rgrdlaw.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 26, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record.

/s/ F. Paul Calamita

AQUALAW PLC
F. PAUL CALAMITA (ID #12740)
6 South Fifth Street
Richmond, VA 23219
Telephone: 804/716-9021
804/716-9022 (fax)
paul@aqualaw.com